

Mediation Program
Eastern District of New York
Questionnaire for Attorneys in Mediated Cases

Our records indicate that you recently represented a client in a case referred to mediation authorized by EDNY Local Rule 83.11. To evaluate the performance of our Mediators, we need to know the views of those who have participated in the mediation session. This questionnaire asks about your experience in the case identified below. Your responses are confidential and will not be known to the court, other attorneys, the mediator, or the parties.

Please answer all questions with reference to the following case only:

_____ v. _____

Docket Number: _____

Type of case _____

Mediator _____

Mediation Session date (s) _____

If you were not present at the mediation session in this case, please provide any information to help us contact the correct attorney and return the blank questionnaire in the enclosed envelop.

Attorney name: _____

Firm name: _____

Address: _____

Telephone: _____

Fax: _____

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December 2000

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1. Overall, how helpful or detrimental was the mediation in the resolution of this case?

Please check one response.

- ☐ 1. Very helpful.
- ☐ 2. Somewhat helpful.
- ☐ 3. It had little impact on the case.
- ☐ 4. Somewhat detrimental.
- ☐ 5. Very detrimental.

2. Was your client present at the mediation session (s)?

- ☐ 1. Yes.
- ☐ 2. No.

3. Was a Mediation Statement submitted on behalf of your client prior to the first session?

- ☐ 1. Yes
- ☐ 2. No

4. Was a settlement worked out at the mediation session (s)?

- ☐ 1. Yes
- ☐ 2. No

5. Approximately how many hours did the mediation session (s) last?

_____ hours

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6. How do you rate the Mediator on each of the following points:

	Poor	Fair	Good	Very Good	Excellent
	1	2	3	4	5
Knowledge of the law	—	—	—	—	—
Preparation	—	—	—	—	—
Fairness and Impartiality	—	—	—	—	—
Creative Problem Solver	—	—	—	—	—

Comments _____

7. Was the Mediator effective in getting the parties to engage in meaningful discussion of this case?

_____ yes

_____ no

Explain _____

8. Check which of the following skills the Mediator possessed:

- (a) ability to listen actively. ()
- (b) ability to analyze problems, identify and separate the issues involved and frame these issues for solution or decision making. ()
- (c) ability to use clear neutral language in speaking. ()

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- (d) sensitivity to strongly felt values of the participants, including gender, ethnic, and cultural differences. ()
- (e) ability to deal with complex factual materials. ()
- (f) presence and persistence. Ability to create and maintain control of a diverse group of disputants. ()
- (g) ability to earn trust and maintain acceptability. ()
- (h) ability to screen out non-mediatable issues. ()
- (i) ability to help parties to invent creative options. ()
- (j) ability to help parties assess their non-settlement alternatives. ()
- (k) ability to help the parties assess their own informed choices. ()

9. Would you recommend this Mediator?

Not at all	Reluctantly	Somewhat	Highly
1	2	3	4
—	—	—	—

Any comments or suggestions you may have about the Mediator or the mediation program or its application to this case are welcome. Please use the back of this page.

THANK YOU.

Please return this questionnaire to:

Gerald P. Lepp, ADR Administrator
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201